

with the article, were false and misleading since the article would not be effective for the purposes represented. The statements represented and suggested that the article would be effective in bringing the world's great mineral baths into one's home; that if added to the bath, it would bring relaxation and relief from pain and itching to those afflicted with rheumatism, arthritis, neuritis, lumbago, and generalized skin conditions; that it would stimulate the circulation and would refresh and vitalize; that it would bathe away aches, pains, and fatigue; that it would aid in eliminating body odors; that it would if used frequently and for long periods, remedy stubborn cases of long standing; that it would insure deep, refreshing sleep if used before retiring; that it would show indication of improvement in most users after the first few baths; that sulfur is a remedy for diseases generally; and that colloidal sulfur would penetrate the skin.

DISPOSITION: December 19, 1947. Pleas of guilty having been entered, the court imposed a fine of \$500 against the defendants jointly.

2424. Misbranding of Firmo. U. S. v. Maynard H. Smith (Continental Sales Co.). Plea of guilty. Imposition of sentence suspended and defendant placed on probation for 1 year (F. D. C. No. 24243. Sample No. 90361-H.)

INFORMATION FILED: April 12, 1948, District of Columbia, against Maynard H. Smith, trading as the Continental Sales Co., in Washington, D. C.

ALLEGED SHIPMENT: The product and a booklet relating to the product and headed "The Anglo Arabic Importing Co., Ltd." were shipped on or about July 18 and July 7, 1947, respectively, from the District of Columbia into the State of Virginia.

PRODUCT: Analysis disclosed that the product contained approximately 3,375 International Units of estrogenic hormones per ounce.

LABEL, IN PART: "Firmo Contains 7500 I. U. of Natural Estrogenic Hormones Per Oz. of Cream."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading since they represented and suggested that the article was an aphrodisiac; that it would be efficacious to maintain sexual potency to an extreme old age; and that it would be efficacious to increase the size of the male sex organ and to increase sexual vigor. The article was not an aphrodisiac, and it would not be efficacious for the purposes represented.

DISPOSITION: May 5, 1948. A plea of guilty having been entered, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

2425. Misbranding of Marvel Massage Cream and Marvel Bath. U. S. v. 37 Jars, etc. (F. D. C. No. 24453. Sample Nos. 16834-K to 16836-K, incl.)

LIBEL FILED: March 1, 1948, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about November 15 and December 22, 1947, by the U. S. Products Co. (N. C. Douglas), from Wilmette, Ill.

PRODUCT: 37 1-pound jars of cream with loose labels reading in part "Marvel Massage Cream 1 Lb Net" and 50 red bags and 56 brown bags of powder with loose labels reading in part "Marvel Bath 6 Lbs. Net." Examination showed that the cream consisted essentially of water, epsom salt, and sodium sulfate, with small proportions of stearates and methyl salicylate; that the powder in the red bags consisted essentially of epsom salt, sulfur, powdered skim milk, and a perfume; and that the powder in the brown bags consisted essentially of epsom salt, sulfur, sodium carbonate, borax, common salt, and a perfume.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "A Reducing Aid for normal overweights" was false and misleading, since the article was not effective in promoting loss of weight.

DISPOSITION: April 20, 1948. Default decree of condemnation and destruction.

2426. Misbranding of La Toja Bath, La Toja Toilet Soap, and La Toja Mud Soap. U. S. v. 97 Jars, etc. (F. D. C. No. 23182. Sample Nos. 6542-H to 6544-H, incl.)

LIBEL FILED: June 12, 1947, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 12, 1946, and March 11, 1947, by La Toja Products, Inc., from New York, N. Y.

PRODUCT: 97 14-ounce jars of *La Toja Bath*, 147 cartons of *La Toja Toilet Soap*, and 97 cartons of *La Toja Mud Soap* at Scranton, Pa., together with a number

of leaflets entitled "La Toja Soap from the Salts of the Famous Mineral Waters of La Toja" and a number of booklets entitled "La Toja Toilet Preparations" and "La Toja Salts Their Incorporation in La Toja Baths." Examination showed that the *La Toja Bath* consisted essentially of salt and water, with small proportions of other inorganic compounds; and that the *La Toja Toilet Soap* and the *La Toja Mud Soap* consisted essentially of soap, water, and salt, with small proportions of other inorganic compounds.

LABEL, IN PART: "La Toja Bath," "La Toja The Natural Mineral Salts Soap Toilet Soap [or "Mud Soap"]."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading, since the articles would not be effective for the purposes claimed. The false and misleading statements regarding the articles were to the following effect:

That the *La Toja Bath* was effective in the treatment of arthritis, arthritis deformans, rheumatism, neuritis, sciatica, lumbago, gout, skin disease, and nervous conditions; and that it would exert a sedative effect and promote profound and refreshing slumber;

That the *La Toja Toilet Soap* was effective in the treatment of eczema, psoriasis, acne, itch, muddy complexion, dandruff, and baldness due to dandruff; that it would restore the porosity of the skin and promote cutaneous respiration and elimination; that it would maintain or restore good health; that it would promote powerful actions, both local and general; and that it would penetrate to the deepest layers of the epidermis and exert a stimulating effect;

That the *La Toja Mud Soap* was effective in the treatment of arthritis, rheumatism, eczema, psoriasis, acne, itch, muddy complexion, dandruff, and baldness due to dandruff; that it would restore the porosity of the skin and promote cutaneous respiration and elimination; that it would maintain or restore good health; that it would promote powerful action, both local and general; and that it would penetrate to the deepest layers of the epidermis and exert a stimulating effect.

DISPOSITION: February 10, 1948. Default decree of condemnation and destruction.

2427. Misbranding of Dapper Hair and Scalp Tonic. U. S. v. 21 Bottles, etc. (F. D. C. Nos. 24388, 24389. Sample Nos. 19134-K, 19135-K.)

LIBEL FILED: March 19, 1948, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about February 17, 1948, by the King Drug Co., from Cincinnati, Ohio.

PRODUCT: 37 1-pint bottles and 42 8-ounce bottles of *Dapper Hair and Scalp Tonic* at Covington and Newport, Ky., together with one poster entitled "Why be bald," which was shipped with the product. Examination showed that the product was a perfumed liquid consisting essentially of water, alcohol, pilocarpine hydrochloride, and vitamin B.

LABEL, IN PART: (Bottle) "Dapper Hair and Scalp Tonic Contains Vitamin B"; (poster) "Why be bald? * * * Vitamin B Puts Hair on Jap Heads Bare * * * Two Nagoya University professors claimed today they have cured baldness by injecting Vitamin B into the scalp."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading, since they represented and suggested that the article was effective in promoting the growth of hair and that vitamin B contributes in some manner to the value of a hair preparation. The article was not effective in promoting the growth of hair, and vitamin B does not contribute to the value of a hair preparation.

DISPOSITION: April 12, 1948. Default decree of condemnation and destruction.

2428. Misbranding of Gingisol. U. S. v. 69 Bottles * * *. (F. D. C. No. 23909. Sample No. 18143-K.)

LIBEL FILED: November 14, 1947, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about October 14, 1947, by Gingisol Laboratories, from Cleveland, Ohio.

PRODUCT: 69 8-ounce bottles of *Gingisol* at Chattanooga, Tenn. Examination showed that the product contained potassium phenolate and not more than an inconsequential amount, if any, of fluorides.

LABEL, IN PART: "Dr. Barben's Gingisol."